

REMARKS

Claims 1-9 are all the claims pending in the application. Applicant thanks the Examiner for indicating that claims 3 and 7¹ contain allowable subject matter, and would be allowable if rewritten in independent form, including all of the limitations of the base claim and any intervening claims.

The Examiner now applies a new reference Chen (U.S. Patent No. 5,881,300) as the primary reference. Specifically, claims 1, 4, 5, 8 and 9 are rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Chen. Claims 2 and 6 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Chen.

Briefly, Chen relates to a power saving method of a computer system and particularly relates to a power saving method applied to a computer system in which resource allocation and release requests of a communication device are issued every start and termination of communication processing using the communication device. Chen also relates to a computer system in which a device driver corresponding to a PC card is loaded and unloaded respectively in response to mounting of the PC card and designation of stoppage of use of the PC card. *See col. 1, lines 5-16 of Chen.*

§102(e) Rejections (Chen) - Claims 1, 4, 5, 8, and 9

With respect to independent claim 1, Applicant submits that Chen does not teach or suggest at least “(b) monitoring at the source device a format of the output bit stream of the source device while communications are being maintained between the source device and the

¹ The Examiner previously indicated that claims 4-7 were allowed, however, the Examiner now rejects claims 4-6 based on the new applied reference Chen.

sink device to determine if requirements for the system resources have changed,” as recited in claim 1. That is, the Examiner alleges that the PC card modem of Chen corresponds to the claimed sink device and that the PC card socket of a portable computer corresponds to the claimed source device, and further alleges, to support the rejection of claim 1, that when a resource allocation of the modem is required via the modem driver from an application program, etc., the power source of the PC card modem is turned on under the control of the power saving driver. *See page 3 of Office Action.* However, nowhere does Chen teach or suggest monitoring at the source device a format of the output bit stream of the source device, as described in claim 1. Even if, *arguendo*, the Examiner’s assessment of the teachings of Chen is accurate, there is no mention by the Examiner or in Chen of the monitoring of a format of an output bit stream; there is only mention of monitoring if system resources have changed, and this is the only operation of Chen mentioned by the Examiner with respect to the above-quoted limitation.

Therefore, at least based on the foregoing, Applicant submits that independent claim 1 is patentably distinguishable over Chen.

With respect to independent claim 8, Applicant amends this claim, as indicated herein, and submits that Chen does not teach or suggest at least, “allocating to the source device, system resources required for commencement of communication between the source device and the sink device, and releasing at the source device redundant system resources from the source device,” as recited in amended claim 8. That is, even if, *arguendo*, the Examiner’s assertion is accurate that Chen teaches allocating to the source device system resources required for commencement of communication between the source device and the sink device, there is no mention by the

Examiner or in Chen of releasing at the source device redundant system resources from the source device.

Applicant submits that dependent claim 9 is patentable at least by virtue of its dependency from independent claim 1.

With respect to independent claim 4, Applicant submits that this claim is patentable at least for reasons similar to those set forth above with respect to independent claim 1. Applicant submits that dependent claim 5 is patentable at least by virtue of its dependency from independent claim 4.

§103(a) Rejection (Chen) - Claims 2 and 6

Claims 2 and 6 are rejected for the reasons set forth on page 4 of the Office Action. First, Applicant submits that these claims are patentable at least by virtue of their respective dependencies from independent claims 1 and 4.

Further, even if, *arguendo*, a portable computer is known to contain a memory, there is no teaching or suggestion that such a memory, which may be a basic part of a portable computer, would be used in the manner recited in claim 2. That is, the specific limitations set forth in dependent claims 2 and 6 are nowhere taught or suggested in Chen, and the Examiner has apparently used impermissible hindsight reasoning in concluding that the specific limitations of claims 2 and 6 would have been obvious in Chen simply based on the notion that a portable computer contains a memory.

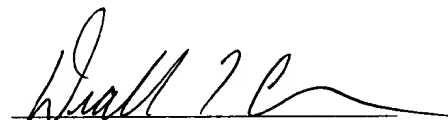
Therefore, at least based on the foregoing, Applicant submits that dependent claims 2 and 6 are patentably distinguishable over Chen.

Finally, Applicant adds new claim 10 to provide a varying scope of coverage. Applicant submits that new claim 10 is patentable at least by virtue of its dependency from independent claim 1.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


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